

Knobbe Martens Olson & Bear LLP
Intellectual Property Law

RECEIVED
CENTRAL FAX CENTER

JUN 22 2004

550 West C Street
Suite 1200
San Diego CA 92101
Tel 619-235-8550
Fax 619-235-0176
www.kmob.com

USPTO FACSIMILE TRANSMITTAL SHEET
Page 1 of 1

Docket No.: VANM160.001APC

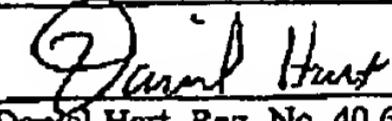
CUSTOMER NO. 20995**OFFICIAL**

Applicant : Reinacle
App. No. : 09/582,817
Filed : November 8, 2000
For : METHOD COMPRISING CAPTURE
MOLECULE FIXED ON DISC SURFACE
Examiner : Sisson, Bradley L.
Group Art Unit : 1634

CERTIFICATE OF FAX TRANSMISSION

I hereby certify that this correspondence and all
marked attachments are being transmitted via
facsimile to the USPTO Central Fax No. (703)
872-9306 on the date shown below:

June 22, 2004


Daniel Hart

Daniel Hart, Reg. No. 40,637

Transmitted herewith for filing and consideration in the above-referenced application are the following items:

- (X) Record of Interview Summary in 3 pages.
- (X) Total pages in transmission: 4

The Commissioner is hereby authorized to charge any additional fees which may be required, now or in the future, or credit any overpayment to Account No. 11-1410.



Daniel Hart
Registration No. 40,637
Attorney of Record
Customer No. 20,995
(619) 235-8550

O:\DOCS\MXG\MXG-5387.DOC.vr
062104

Orange County
619-235-8550San Francisco
415-954-4114Los Angeles
310-551-3450Riverside
909-781-9231San Luis Obispo
805-547-5580

VANM160.001APC

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Remacle et al.
Appl. No. : 09/582,817
Filed : November 8, 2000
For : METHOD COMPRISING
CAPTURE MOLECULE FIXED
ON DISC SURFACE
Examiner : Sisson, Bradley L.
Group Art Unit : 1634

INTERVIEW SUMMARY

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Examiner Interview conducted on May 24, 2004 summarized in Interview Summary mailed from the US PTO on May 27, 2004, the Applicant submits the following Summary of Interview:

Appl. No. : 09/582,817
Filed : November 8, 2000

SUMMARY OF INTERVIEW

Exhibits and/or Demonstrations

None

Identification of Claims Discussed

30, 31, 34, 40, 41, 43-45, and 47

Identification of Prior Art Discussed

US Patent No. 6,030,581 (Virtanen)

Proposed Amendments

The Examiner agreed the specification supports the introduction of the full name of DVD as "digital video disc" in the body of Claim 30.

Principal Arguments and Other Matters

Written description support in the Specification for the claims encompassing the wide variety of discs (Specification, page 7, lines 21-27; page 11, lines 20-31; and page 12, lines 19-30) was discussed. The Applicant pointed out that the specification supported the use of discs of varying conformations in the claimed method. The Examiner requested that applicants provide further information regarding discs having conformations other than circular.

Claim 47 was discussed as to the terminology "treatment." In particular, the Examiner indicated that this terminology could refer to treatment of the disc or to treatment of the signal. Mr. Hart agreed to review this terminology with respect to whether the Examiner's concerns should be addressed by an amendment.

The status of Claim 50 was discussed, which was indicated in the amendment of May 17, 2004 as "canceled", yet the text of the claim was provided

The Examiner questioned the interpretation of the term "pits" in the Specification on page 25. Mr. Hart indicated that the "pits" are not to be interpreted as reaction chambers or wells but rather as depressions that accompany lands as found on the surface of a CD or DVD, and directed the Examiner's attention to page 10, lines 11-14 where the interpretation of the "pits" is provided.

Mr. Hart also pointed out that the discs disclosed in the Virtanen reference utilize centrifugal force to move fluids between flow channels and reaction chambers where reactions are performed. The Examiner expressed concerns that the present claims may read on the discs disclosed in Virtanen and asserted that Virtanen disclosed software being present on one portion of the disc while the sample is processed in another portion. Mr. Hart indicated that he would

Appl. No. : 09/582,817
Filed : November 8, 2000

consider whether the Examiner's concerns that the claims could read on the methods of Virtanen should be addressed in an amendment.

Results of Interview

1. The Applicant agreed to amend Claim 30 by introducing "digital video disc".
2. The Examiner requested clarification of the meaning of the clause "used in the treatment" by amending the claim 47. Applicant will consider whether to amend Claim 47 to address the Examiner's concerns.
3. Mr. Hart indicated that he would review the record for the correct status of Claim 50.
4. Applicant will consider whether to amend Claim 30 to address the Examiner's concerns regarding the Virtanen reference.

REMARKS

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: June 22, 2004

By:


Daniel Hart
Registration No. 40,637
Attorney of Record
Customer No. 20,995
(619) 235-8550

O:\DOCS\MXG\MXG-5380.DOC
062104